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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,342	11/14/2003	Woiciech Franciszek Baran	DN2003192	9862

27280 7590 07/11/2005

THE GOODYEAR TIRE & RUBBER COMPANY
INTELLECTUAL PROPERTY DEPARTMENT 823
1144 EAST MARKET STREET
AKRON, OH 44316-0001

EXAMINER

JOHNSTONE, ADRIENNE C

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,342

Applicant(s)

BARAN, WOICIECH FRANCISZEK

Examiner

Adrienne C. Johnstone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 022304; 040805.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it is more than 150 words in length.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 8, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by European Patent Application 0 955 186 A2 (equivalent to Kadota (6,668,890 B1)).

See the embodiment of Figures 1 and 2, specification paragraphs 0014-0024. As to claim 9, the width of the reinforcing layers 35 is disclosed to be "narrowed" (paragraph 0023) and the exemplary width is 20 mm (paragraph 0024), thus inherently disclosing to one of ordinary skill in the art a range of 20 mm or less within which relatively narrow range one of ordinary skill in the art would have understood all of the integer values from 1 mm to 20 mm to be disclosed with

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“sufficient specificity” to anticipate the claimed 15 mm width absent unexpected results (MPEP 2131.03).

5. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Takehara et al. (4,930,559).

See the embodiments of Figures 1 and 2, col. 2 line 62 - col. 5 line 27 and col. 6 lines 28-37: with the exemplary section width of 195 mm and the inner band width W5 being as low as 15% of the maximum width W4A of the belt, the lower end point of the range of values for the inner band width W5 in the tire depicted in Figure 1 clearly falls within the claimed range of 30 mm or less. As to claim 6, the inner band cords and outer band cords may be nylon, polyester, or rayon (col. 4 lines 9-12) therefore the number of possible arrangements of the specified cord materials between the inner and outer bands (9) is sufficiently small that one of ordinary skill in the art would have “at once envisaged” all of the possible arrangements including those wherein the inner band cords are of a different material than the outer band cords (MPEP 2131.02).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over European Patent Application 0 955 186 A2 (equivalent to Kadota (6,668,890 B1)).

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See paragraph 4 above: it would have been obvious to one of ordinary skill in the art to follow the teachings of the reference by selecting any width within the inherently disclosed relatively narrow range of 20 mm or less absent unexpected results.

8. Claims 4-7 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over European Patent Application 0 955 186 A2 (equivalent to Kadota (6,668,890 B1)) in view of Oare et al. (5,368,082).

See paragraph 4 above: it is notoriously well known to provide runflat capability to tires by adding runflat rubber inserts in the sidewalls and to improve the high speed performance of tires by providing an aramid cord or nylon cord overlay radially outward of the belt layers such that the lateral ends of the overlay extend beyond the lateral ends of the belt layers, as evidenced by Oare et al. (col. 6 line 25 - col. 7 line 35 and col. 13 lines 18-50) for example, therefore it would have been obvious to one of ordinary skill in the art to provide such notoriously well known runflat rubber sidewall inserts and aramid cord or nylon cord overlay in the above tire. As to claims 5 and 13, the cords in the reinforcing layers 35 can be aramid (EP '186 paragraph 0021). As to claim 15, the width of the EP '186 reinforcing layers 35 is disclosed to be "narrowed" (paragraph 0023) and the exemplary width is 20 mm (paragraph 0024), thus inherently disclosing to one of ordinary skill in the art a range of 20 mm or less within which relatively narrow range one of ordinary skill in the art would have understood all of the integer values from 1 mm to 20 mm to be disclosed with "sufficient specificity" to anticipate the claimed 15 mm width absent unexpected results (MPEP 2131.03); in any case, it would have been obvious to one of ordinary skill in the art to follow the teachings of the reference by selecting any width within the inherently disclosed relatively narrow range of 20 mm or less absent unexpected results.

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9. Claims 7 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takehara et al. (4,930,559) in view of Messerly (3,983,919).

See paragraph 5 above: it is notoriously well known to provide runflat capability to tires by adding runflat rubber inserts in the sidewalls, as evidenced by Messerly (inner sidewall rubber 17, col. 1 line 13 - col. 3 line 54) for example, therefore it would have been obvious to one of ordinary skill in the art to provide such notoriously well known runflat rubber sidewall inserts in the above tire.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references disclose tires similar to the claimed tire in that they have reinforcing strip layers radially inward of each edge of the belt structure annular layer adjacent the carcass: Boussu et al. (2,958,359); Massoubre (3,386,487); Koseki et al. (4,934,429) ; Burlacot (5,746,853) ; US Patent Application Publication 2004/0026000 A1 and its equivalent Published PCT Application WO 02/074560 A1; and Japanese Patent Application 8-216618 A.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrienne C. Johnstone whose telephone number is (571)272-1218. The examiner can normally be reached on Monday-Friday, 10:30AM-7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571)272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

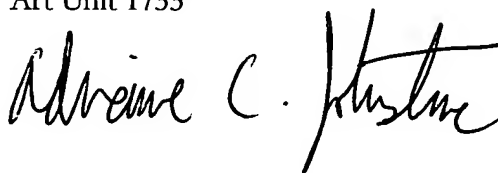
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Adrienne C. Johnstone
Primary Examiner
Art Unit 1733

Adrienne Johnstone

July 7, 2005

A handwritten signature in black ink, reading "Adrienne C. Johnstone". The signature is written in a cursive style with a large, stylized initial "A".